

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

EWE GROUP, INC., doing)	
business as Sweet Hut Bakery)	
& Cafe,)	
)	
Plaintiff,)	Civil Action No.
)	
v.)	1:14-cv-2377-TCB
)	
THE BREAD STORE, LLC,)	
doing business as Sweet)	
Talk Bakery & Cafe,)	
)	
Defendant.)	

ORDER GRANTING MOTION
FOR TEMPORARY RESTRAINING ORDER

The Motion of Plaintiff, Ewe Group, Inc., d/b/a Sweet Hut Bakery & Cafe, for a Temporary Restraining Order having come before this Court for hearing and the Court having considered all matters of record, the arguments of counsel, and the evidence presented at the hearing, IT IS HEREBY

ORDERED, THAT

(1) The Bread Store, LLC, d/b/a Sweet Talk Bakery & Cafe (“Plaintiff”), is hereby enjoined and restrained along with all affiliated individuals and entities and anyone acting in concert with Plaintiff from using the name SWEET TALK BAKERY & CAFE or SWEET TALK BAKERY & CAFE & Design or any name

confusingly similar to SWEET HUT BAKERY & CAFE in promoting, marketing, selling, or identifying the company, its location or products, until further order of this Court, including any verbal communications or signs or printed materials on-site or off and any electronic postings on the Internet whether on a website, review site, or social media page (such as Facebook);

(2) That, for purposes of the Order and until such time as a permanent injunction on this issue is addressed at trial, that confusingly similar names shall include any name that contains the word “Sweet” or the word “Hut” or any other term or terms that might be reasonably confused by customers, vendors, those in the trade, or the public with the trademark SWEET HUT BAKERY & CAFE;

(3) That Plaintiff be required to make a cash deposit into the registry of the Court as bond in the amount of \$_____ or to otherwise provide a bond agreeable to the Court in that amount before the expiration of ten (10) days to keep the injunction in place;

(4) That the injunction shall take effect within 24 hours of entry of this Order and continue in effect until further Order of this Court or for ten (10) days should Plaintiff fail to make the required cash payment into the Registry of the

Court or post bond as specified by the Court in accordance with paragraph 3 above within ten days of the entry of this Order;

(5) That Defendant shall file a notice with this Court within five days of entry of this Order informing the Court of its compliance with the Order and, if full compliance has been achieved, further informing the Court as to why Defendant should not be held in contempt;

(6) That any violation of this Order shall subject the violator to a finding of contempt; and

(7) That all issues relating to enjoining infringement of the trade dress of Plaintiff shall be reserved until the time of trial, unless a motion for a preliminary injunction is brought prior to that time.

IT IS SO ORDERED this _____ day of August, 2014.

Timothy C. Batten, Sr.
United States District Judge